



General Assembly

January Session, 2013

## ***Amendment***

LCO No. 5842

**\*SB0027305842SR0\***

Offered by:

SEN. BOUCHER, 26<sup>th</sup> Dist.

To: Senate Bill No. 273

File No. 45

Cal. No. 100

### ***"AN ACT CONCERNING FOSTER CHILDREN AND INTERNSHIP OPPORTUNITIES."***

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Subsections (f) to (j), inclusive, of section 46b-140 of the  
4 general statutes are repealed and the following is substituted in lieu  
5 thereof (*Effective from passage*):

6 (f) If the court further finds that its probation services or other  
7 services available to the court are not adequate for such child, the court  
8 shall commit such child to the Department of Children and Families in  
9 accordance with the provisions of section 46b-141. On and after  
10 January 1, 2015, the court shall consult with the department to  
11 determine the placement which will be in the best interest of such child  
12 prior to making such commitment.

13 (g) Any child or youth coming within the jurisdiction of the court,  
14 who is found to be mentally ill, may be committed by said court to the

15 Commissioner of Children and Families and, if the court convicts a  
16 child as delinquent and finds such child to be mentally deficient, the  
17 court may commit such child to an institution for mentally deficient  
18 children or youth or delinquents. No such commitment may be  
19 ordered or continued for any child who has attained the age of twenty.  
20 Whenever it is found that a child convicted as delinquent or adjudged  
21 to be a member of a family with service needs would benefit from a  
22 work-study program or employment with or without continued school  
23 attendance, the court may, as a condition of probation or supervision,  
24 authorize such child to be employed for part or full-time at some  
25 useful occupation that would be favorable to such child's welfare, and  
26 the probation officer shall supervise such employment. For the  
27 purposes of this section, the limitations of subsection (a) of section 31-  
28 23 on the employment of minors under the age of sixteen years shall  
29 not apply for the duration of such probation or supervision.

30 (h) Whenever the court commits a child to the Department of  
31 Children and Families, there shall be delivered with the mittimus a  
32 copy of the results of the investigations made as required by section  
33 46b-134. The court may, at any time, require from the department in  
34 whose care a child has been placed such report as to such child and  
35 such child's treatment.

36 (i) If the delinquent act for which the child is committed to the  
37 Department of Children and Families is a serious juvenile offense, the  
38 court may set a minimum period of twelve months during which the  
39 child shall be placed in a residential facility operated by or under  
40 contract with said department, as determined by the Commissioner of  
41 Children and Families. No such commitment may be ordered or  
42 continued for any child who has attained the age of twenty. The setting  
43 of such minimum period shall be in the form of an order of the court  
44 included in the mittimus. For good cause shown in the form of an  
45 affidavit annexed thereto, the Department of Children and Families,  
46 the parent or guardian of the child or the child may petition the court  
47 for modification of any such order.

48 (j) Except as otherwise provided in this section, the court may order  
 49 that a child be (1) committed to the Department of Children and  
 50 Families and, after consultation with said department, the court may  
 51 order that the child be placed directly in a residential facility within  
 52 this state and under contract with said department provided such  
 53 consultation shall not be required on and after January 1, 2015, or (2)  
 54 committed to the Commissioner of Children and Families for  
 55 placement by the commissioner, in said commissioner's discretion, (A)  
 56 with respect to the juvenile offenders determined by the Department  
 57 of Children and Families to be the highest risk, in the Connecticut  
 58 Juvenile Training School, if the juvenile offender is a male, or in  
 59 another state facility, presumptively for a minimum period of twelve  
 60 months, or (B) in a private residential or day treatment facility within  
 61 or outside this state, or (C) on parole. No such commitment may be  
 62 ordered or continued for any child who has attained the age of twenty.  
 63 The commissioner shall use a risk and needs assessment classification  
 64 system to ensure that male children who are in the highest risk level  
 65 will be placed in the Connecticut Juvenile Training School."

This act shall take effect as follows and shall amend the following sections:

Sec. 501	<i>from passage</i>	46b-140(f) to (j)
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